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8 IN THE UNITED STATES DISTRICT COURT
9 FOR THE EASTERN DISTRICT OF CALIFORNIA
10

11 UNITED STATES OF AMERICA,

12 *Plaintiff,*

13 vs.

14 KAYLEE M. LOGAN,

15 *Defendant.*
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Case No. 6:20-PO-00035 JDP

JOINT MOTION TO MODIFY SENTENCE

18 **MOTION**

19 The parties, through their respective counsel, Sean Anderson, Yosemite National Park
20 Legal Officer, counsel for the government, and Benjamin A. Gerson, Assistant Federal Defender,
21 counsel for the defendant, Kaylee Logan, hereby stipulate and jointly move this court to amend
22 Ms. Logan's sentence and required conditions for a deferred entry of judgement.

23 On February 25, 2020 Ms. Logan appeared before the honorable Jeremy Peterson and
24 entered a deferred entry of judgment ("DEJ") on citation 7577984. Citation 7577983 was
25 dismissed. Ms. Logan was required to complete 12 months of unsupervised probation, payment of
26 \$750.00 in fines and surcharges, and booking through the U.S. Marshals service. On April 29,
27 2020, the requirements of the DEJ were amended to a \$375.00 fine and 37.5 hours of community
28 service. See ECF #13. To date Ms. Logan has made one payment of \$75.00 and has reported for

1 U.S. Marshals booking in Seattle, Washington, and has not incurred any new law violations.

2 Ms. Logan contacted the undersigned defense counsel to report difficulty with her fine
3 payment schedule, as well as completing her community service in December 2020. Ms. Logan
4 reported that she has been unemployed for a significant portion of 2020 due the COVID-19
5 pandemic. As a result she had to relocate four times. Finally, Ms. Logan was the victim of
6 domestic violence by an intimate partner. The parties now moves the court to modify the
7 requirements of her DEJ to allow for the difficult circumstances she faced in 2020.

8 The parties recognize the goal of a DEJ is to allow low level offenders to avoid a life long
9 criminal record by demonstrating good conduct. The parties also recognize the intrinsic link
10 between mental health, substance abuse, domestic violence, and contact with the criminal justice
11 system. As Ms. Logan is already in compliance with two of the main conditions of her DEJ – no
12 new law violations, and booking with the U.S. Marshals office- the parties jointly move the court
13 to modify the remaining conditions to reconcile Ms. Logan's personal circumstances with the goals
14 of the DEJ.

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The parties hereby move the court to reduce Ms. Logan's payments from a total of \$375.00, including court costs, to a total of \$275.00, including court costs, and to waive all late fees that have accrued. In addition, the parties move the court to allow Ms. Logan to attend counselling for domestic violence victims in lieu of community service. At the court's suggestion, the parties agree that Ms. Logan shall attend a total of 12 sessions. Ms. Logan has already attended four sessions. The parties agree that these requirements satisfy the goals of the DEJ, as well as the government's penal interest, recognizing her good conduct during the period of the DEJ.

McGREGOR SCOTT
United States Attorney

Dated: January 27, 2021

/s/ Sean Anderson
SEAN ANDERSON
Acting Legal Officer
National Park Service
Yosemite National Park

Dated: January 27, 2021

HEATHER E. WILLIAMS
Federal Defender

/s/ Benjamin A. Gerson
BENJAMIN A. GERSON
Assistant Federal Defender
Attorney for Defendant
KAYLEE M. LOGAN

ORDER

Good cause appearing, the Court grants Parties' Joint Motion to Modify Sentence [20](#) to the extent the Court further modifies the sentence for Kaylee M Logan for citation 7577984 [13](#) as follows: Ms. Logan shall pay a total of \$275.00, which amount shall include all court costs and fees, and shall attend a minimum of 12 counseling sessions for domestic violence, in lieu of community service. Further, all late fees, if any, are waived.

IT IS SO ORDERED.

Dated: February 2, 2021


HELENA M. BARCH-KUCHTA
UNITED STATES MAGISTRATE JUDGE